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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/991,766

11/23/2001

Sho Kuwamoto

1281

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30748

7590

07/27/2006

INNOVATION PARTNERS
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EXAMINER

RIES, LAURIE ANNE

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">09/991,766</p>	<p>Applicant(s)</p> <p align="center">KUWAMOTO ET AL.</p>	
	<p>Examiner</p> <p align="center">Laurie Ries</p>	<p>Art Unit</p> <p align="center">2176</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-20 and 29-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-20 and 29-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed 2 May 2006, to the original application filed 23 November 2001.
2. The rejection of claims 1-4, 8, 11-14, 18, 21-24, and 28 under 35 U.S.C. 103(a) as being unpatentable over Bailey (U.S. Publication 2002/0059278 A1, claiming priority of U.S. Provisional Application Number 60/201234) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364) has been withdrawn as necessitated by amendment and newly found prior art.
3. The rejection of claims 6-7, 16-17, and 26-27 under 35 U.S.C. 103(a) as being unpatentable over Bailey (U.S. Publication 2002/0059278 A1) in view of Chiang (U.S. Publication 2001/0037490 A1) and Guck (U.S. Patent 5,911,776) has been withdrawn as necessitated by amendment and newly found prior art.
4. The rejection of claims 9-10, 19-20, and 29-30 under 35 U.S.C. 103(a) as being unpatentable over Guck (U.S. Patent 5,911,776) in view of Bailey (U.S. Publication 2002/0059278 A1) has been withdrawn as necessitated by amendment and newly found prior art.

5. Claims 9-20 and 29-46 are pending. Applicant has canceled claims 1-8 and 21-28. Applicant has added claims 31-46. Claims 9, 11, 19, 29, 31, and 39 are independent claims.

Response to Arguments

6. Applicant's arguments with respect to claims 9-20 and 29-46 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9-10, 19-20, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225).

As per independent claims 9, 19, and 29, McClendon discloses a method of retrieving a file including HTML data and having a filename including retrieving the file (See McClendon, Column 3, lines 55-67).

McClendon also discloses including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not disclose expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claims 10, 20, and 30, McClendon discloses the limitations of claims 9, 19, and 29 as described above. While McClendon does not disclose expressly that that extension of the shadow or companion file begins with an "m", it was well known in the art at the time of the invention that an XML file, such as the shadow or companion file of McClendon, is a text file that may be defined by any file extension as defined by the creator of the file.

8. Claims 11-18 and 31-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364).

As per independent claim 11, McClendon discloses a system for storing a file and information related to the file and not contained in the file including an editor having an input operatively coupled for receiving information to be contained in the file, the editor providing at an output a user interface for receiving the information and for providing the information at the editor output (See McClendon, Column 2, lines 35-44).

McClendon also discloses a shadow file keys/values manager having an input operatively coupled for receiving the information related to the file and not contained in the file, the shadow file keys/values manager providing at an output a user interface for receiving the information related to the file and not contained in the file and for providing at the shadow file keys/values manager output the information related to the file and not contained in the file (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

McClendon also discloses a file builder having an input coupled to the editor output, the file builder building the file responsive to the information received at the file builder input and for storing the file via an output (See McClendon, Column 12, lines 23-30 and lines 40-46).

McClendon also discloses a shadow file builder having an input coupled to the shadow file keys/values manager for receiving the information related to the file and not

contained in the file, the shadow file builder building a shadow file responsive to the information related to the file and not contained in the file and for storing in the shadow file, different from the file, via an output (See McClendon, Column 9, lines 7-65).

McClendon does not disclose expressly using a web-authoring tool to receive the information. Chiang discloses the use of an HTML editor, which is a web-authoring tool. (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the web-authoring tool of Chiang with the information files of McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claim 11.

As per dependent claim 12, McClendon and Chiang disclose the limitations of claim 11 as described above. McClendon also discloses that the information related to the file is stored in the shadow file that contains XML data and therefore uses at least one XML tag (See McClendon, Column 9, lines 60-65).

As per dependent claim 13, McClendon and Chiang disclose the limitations of claim 11 as described above. McClendon also discloses that the file includes HTML code or data (See McClendon, Column 6, lines 50-57).

As per dependent claim 14, McClendon and Chiang disclose the limitations of claim 11 as described above. McClendon also discloses receiving a request to open the file and automatically displaying at least a portion of the information related to the file in the shadow file related to the request (See McClendon, Column 3, lines 8-25).

As per dependent claim 15, McClendon and Chiang disclose the limitations of claim 11 as described above. McClendon also discloses receiving a request to move the file to a destination and automatically moving at least a portion of the shadow file to the destination related to the request (See McClendon, Column 16, lines 4-30).

As per dependent claim 16, McClendon and Chiang disclose the limitations of claim 11 as described above. McClendon also discloses that the shadow file includes a name corresponding to the name of the file (See McClendon, Column 17, lines 64-67).

As per dependent claim 17, McClendon and Chiang disclose the limitations of claim 16 as described above. McClendon also discloses including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not disclose expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association

between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claim 18, McClendon and Chiang disclose the limitations of claims 1, 11, and 21 as described above. Chiang also discloses that the web-authoring tool, or HTML editor, includes at least a portion of Adobe GoLive (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include Adobe GoLive as the web authoring tool or HTML editor disclosed by Chiang and McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claim 18.

As per independent claims 31 and 39, McClendon discloses a method and computer program product including receiving first information to be contained in a first file, the first information including computer source code, such as HTML code (See McClendon, Column 2, lines 35-44).

McClendon also discloses receiving second information characterizing one or more properties of the first information (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

McClendon also discloses storing the first file information but not the second information (See McClendon, Column 17, line 67).

McClendon also discloses storing in a second file, distinct from the first file, the second information (See McClendon, Column 17, lines 65-66).

McClendon does not disclose expressly using a web-authoring tool to receive the information. Chiang discloses the use of an HTML editor, which is a web-authoring tool. (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the web-authoring tool of Chiang with the information files of McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 31 and 39.

As per dependent claims 32 and 40, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. McClendon also discloses that the second information is stored in the second file contains XML data which therefore uses at least one XML tag (See McClendon, Column 17, lines 65-66).

As per dependent claims 33 and 41, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. McClendon also discloses that the computer source code includes HTML code (See McClendon, Column 17, line 67).

As per dependent claims 34 and 42, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. McClendon also discloses receiving a request to open the first file and automatically displaying at least a portion of the second information responsive to the request (See McClendon, Column 3, lines 8-25).

As per dependent claims 35 and 43, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. McClendon also discloses receiving a request to move the first file to a destination and automatically moving at least a portion of the second file to the destination responsive to the request (See McClendon, Column 16, lines 4-30).

As per dependent claims 36 and 44, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. McClendon also discloses that the second file includes a name corresponding to a name of the first file (See McClendon, Column 17, lines 64-67).

As per dependent claims 37 and 45, McClendon and Chiang disclose the limitations of claims 36 and 44 as described above. McClendon also discloses including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not disclose expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with

an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claims 38 and 46, McClendon and Chiang disclose the limitations of claims 31 and 39 as described above. Chiang also discloses that the web-authoring tool, or HTML editor, includes at least a portion of Adobe GoLive (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include Adobe GoLive as the web authoring tool or HTML editor disclosed by Chiang and McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 38 and 46.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cox (U.S. Patent 6,510,466) discloses methods, systems, and computer program products for centralized management of application programs on a network.
- Vanderslius (U.S. Patent 6,356,920 B1) discloses a dynamic, hierarchical data exchange system.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

William L. Bashore
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PRIMARY EXAMINER